APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,086	02/01/2000	Raja Chatterjee	99,028	5705

21253   7590   10/22/2003

CHARLES G. CALL
68 HORSE POND ROAD
WEST YARMOUTH, MA 02673-2516

EXAMINER
SMITH, PETER J

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 September 2003</u> .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>01 February 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6)☐ Other: .

DETAILED ACTION

1.　　　This action is responsive to communications: Request for reconsideration of rejections

filed on 09/23/2003, to the original application filed on 02/01/2000.

2.　　　Claims 1-17 are pending in the case. Claims 1, 8, and 10 are independent claims.

Claim Rejections - 35 USC § 103

3.　　　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.　　　**Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Srivastava et al., US 6,549,922 B1 filed 10/01/1999 in view of Sidana, US 6,571,295 B1

priority filed 01/31/1996.

　　　Regarding independent claim 1, Srivastava teaches a means for analyzing a web page

to identify at least one markup tag to extract metadata from the multimedia file in Fig. 1.

Srivastava also teaches a means for selecting and executing a media processing program for

analyzing the content of the multimedia data supplied by a resource to generate metadata

describing its content in Fig. 1 and col. 2 lines 45-50. Srivastava teaches a means for formatting

the metadata into a character-based text annotation in Fig. 2 col. 4 lines 8-13. Srivastava also

teaches indexing which can be used for searching in col. 8 lines 48-52. What Srivastava does not

teach is a means for combining the web page with the annotation to form an enhanced web page.

Sidana does teach a means for combining the web page with the annotation to form an

augmented (same thing as enhanced) web page in Fig. 5 and col. 2 lines 13-30. It would have

been obvious to one of ordinary skill in the art at the time the invention was made to combine

Sidana into Srivastava to create the claimed invention. It would have been desirable to combine

both the web page and the annotations into one file which can then be conveniently viewed by

the user. This would facilitate the user's increased understanding of the content contained in the

web page.

Regarding dependent claim 2, which is dependent on claim 1, Srivastava and Sidana

teach the limitations of claim 1 as explained above. Srivastava teaches in col. 4 lines 32-48 a

means for determining the particular data type of the multimedia supplied by the given resource

and also a means for selecting a processing program for analyzing the multimedia data formatted

in accordance with said particular data type.

Regarding dependent claim 3, which is dependent on claim 1, Srivastava and Sidana

teach the limitations of claim 1 as explained above. Srivastava teaches in the abstract a means

for generating text data annotation expressed in accordance with the Extensible Markup

Language.

Regarding dependent claim 4, which is dependent on claim 1, Srivastava and Sidana

teach the limitations of claim 1 as explained above. Srivastava teaches in Fig. 1 and col. 2 lines

50-56 a means for acquiring metadata which describes the multimedia data supplied by a given

resource. In Fig. 2 and col. 4 lines 8-13 Srivastava also teaches a means for including the

additional metadata in a character-based text annotation.

Regarding dependent claim 5, which is dependent on claim 4, Srivastava and Sidana teach the limitations of claim 4 as explained above. Srivastava teaches that the multimedia file displayed in Fig. 1 which will obviously be contained within a markup tag on an internet web page and further in col. 2 lines 48-50 that some of the additional data includes information obtained from the markup tag.

Regarding dependent claim 6, which is dependent on claim 4, Srivastava and Sidana teach the limitations of claim 4 as explained above. Srivastava teaches in Fig. 1 that a given resource may be accessed through the operating system of a computer and that some of the additional data may include information obtained from the operating system.

Regarding dependent claim 7, which is dependent on claim 4, Srivastava and Sidana teach the limitations of claim 4 as explained above. Srivastava teaches in Fig. 1 that some of the additional information may be obtained via the internet.

Regarding independent claim 8, Srivastava teaches a parser for identifying markup tags in web pages in col. 2 lines 46-48. Srivastava also teaches a processing means for analyzing the content of multimedia data identified by the mark up tags to generate metadata describing the multimedia data in Fig. 1 and col. 2 lines 46-50. Srivastava teaches a means for translating the metadata into a character-based text annotation describing the multimedia data in Fig. 2 and col. 4 lines 8-13. What Srivastava does not teach is a means for storing the combination of the web page and annotation to form an enhanced web page suitable for processing by text-based indexing and searching. Sidana does teach a means for storing the combination of the web page and annotation to form an enhanced web page suitable for processing by text-based indexing and searching in Fig. 5 and col. 2 lines 13-30.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine Sidana into Srivastava to create the claimed invention. It would have been

desirable to combine the annotation with the web page from which the multimedia file came to

create an augmented, or enhanced, web page which could be more easily understood by the user.

This enhanced web page would decrease the amount of time required for the user to get the

information from the web page which they need.

Regarding dependent claim 9, which is dependent on claim 8, Srivastava and Sidana

teach the limitations of claim 8 as explained above. Srivastava teaches in the abstract that the

text annotation is expressed in the Extensible Markup Language.

Regarding independent claim 10, Srivastava teaches in Fig. 1 and col. 2 lines 46-48

identifying one or more mark up tags in a web page which respectively identify one or more

external resources which provide multimedia data. Srivastava also teaches in Fig. 1 and col. 2

lines 46-55 generating metadata which describes the multimedia data. Srivastava teaches in Fig.

2 and col. 4 lines 8-13 translating metadata into a character-based text annotation. What

Srivastava does not teach is inserting the annotation into the web page to form an enhanced web

page suitable for processing by a character-based text processing system. Sidana does teach in

Fig. 5 and col. 2 lines 13-30 inserting the annotation into the web page to form an enhanced web

page suitable for processing by a character-based text processing system.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine Sidana into Srivastava to create the claimed invention. It would have been

desirable to insert the annotation with the web page from which the multimedia file came to

create an augmented, or enhanced, web page which could be more easily understood by the user.

This enhanced web page would decrease the amount of time required for the user to get the

information from the web page which they need.

Regarding dependent claim 11, which is dependent on claim 10, Srivastava and Sidana

teach the limitations of claim 10 as explained above. Srivastava teaches identifying markup tags

in a web page in Fig. 1. The multimedia file obviously is contained with markup tags on the web

page. Srivastava also teaches extracting the uniform resource locator of one of the external

resources from at least one of the selected mark up tags in col. 3 lines 63-67.

Regarding dependent claim 12, which is dependent on claim 10, Srivastava and Sidana

teach the limitations of claim 10 as explained above. Srivastava teaches retrieving multimedia

data from one or more external resources in Fig. 1 and analyzing the content of the multimedia

data to extract metadata therefrom in col. 2 lines 46-55.

Regarding dependent claim 13, which is dependent on claim 12, Srivastava and Sidana

teach the limitations of claim 12 as explained above. Srivastava teaches identifying the data type

of the multimedia data from each resource in col. 4 lines 32-35 and selecting a process routine

for multimedia of the identified data type from each of said resources in col. 4 lines 39-48.

Regarding dependent claim 14, which is dependent on claim 10, Srivastava and Sidana

teach the limitations of claim 10 as explained above. Srivastava teaches indexing what may be

an enhanced web page in light of claim 10 rejection to provide access to the web page in

response to queries expressing one or more attributes expressed in the text annotation in col. 8

lines 49-52.

Regarding dependent claim 15, which is dependent on claim 10, Srivastava and Sidana

teach the limitations of claim 10 as explained above. Srivastava teaches searching the content of

what may be an enhanced web page in light of claim 10 rejection in response to a search request

to determine if attributes expressed in said search request are contained in the text annotation in

col. 8 lines 49-52.

Regarding dependent claim 16, which is dependent on claim 13, Srivastava and Sidana

teach the limitations of claim 13 as explained above. Srivastava teaches indexing what may be

an enhanced web page in light of claim 10 rejection to provide access to the web page in

response to queries expressing one or more attributes expressed in the text annotation in col. 8

lines 49-52.

Regarding dependent claim 17, which is dependent on claim 13, Srivastava and Sidana

teach the limitations of claim 13 as explained above. Srivastava teaches searching the content of

what may be an enhanced web page in light of claim 10 rejection in response to a search request

to determine if attributes expressed in said search request are contained in the text annotation in

col. 8 lines 49-52.

Response to Arguments

5.   Applicant's arguments filed 09/23/2003 have been fully considered but they are not

persuasive.

6.   Regarding Applicant's argument on page 2, paragraph 2, lines 1-4 that Srivistava et al.

(hereafter referred to as Srivistava) does not suggest or describe means for analyzing a Web page

to identify a markup tag which identifies an external media file which then described by

metadata, the Examiner additionally cited fig. 1, not discussed by Applicant, as evidence for

identification of a markup tag which identifies an external media file. Please note that Srivistava

fig. 1 discloses a Media File, which could be an image, audio, or video file, which is derived

from an internet resource. One skilled in the art at the time of the invention would have known

that one of the most common ways to transmit image, audio, and video files through the internet

is by use of HTML web pages viewable by internet web browsers. One of ordinary skill in the

art at the time of the invention would also have known that HTML identifies image, audio, and

video media files through the use of tags. Thus, the identification of markup tags which

identifies and external media file is inherent to the Media File extraction from the internet

disclosed in fig. 1.

7.   Regarding Applicant's argument on page 2, paragraph 5 Sidana does teach combining a

Web page and an annotation to form an enhanced Web page in fig. 5 and col. 2 lines 13-30.

Metadata is a character-based text description and the Sidana annotations are character-based

text descriptions as well, which are what is shown in fig. 7 item 712 and thus Sidana

encompasses and can handle combining metadata annotations with a Web page.

8.   Regarding Applicant's argument on page 3, paragraphs 2-3, Srivistava is concerned with

creating annotation describing the media files in col. 4 lines 8-13 and Sidana is concerned with

taking annotations and combining them with Web pages so that the user may view an enhanced

Web page. Srivistava fig. 1 is very similar to Applicant's fig. 1 in that the external media files

are derived from an internet resource, and then the metadata is extracted from the media files.

The next step is where they diverge with Srivistava placing the metadata annotations in a

database and Applicant placing the annotations into an enhanced web page. To one of ordinary

skill in the art at the time of the invention, Sidana is the teaching which takes the annotations of

Srivistava and incorporates them into an enhanced Web page as Applicant does, thus rendering

Applicant's invention obvious.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The

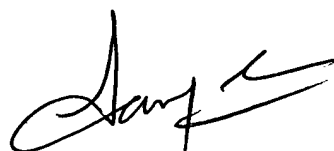examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

PJS
September 29, 2003

SANJIV SHAH
PRIMARY EXAMINER